



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/982,359	10/18/2001	James F. McGuckin JR.	1303 DIV CON	8570

7590
Rex Medical, L.P.
585 County Line Road
Radnor, PA 19087

01/13/2004

EXAMINER

ROBERT, EDUARDO C

ART UNIT PAPER NUMBER

3732

DATE MAILED: 01/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Art Unit: 3732

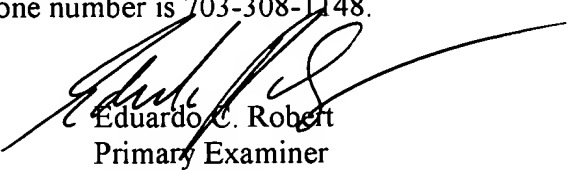
Response to Amendment

The reply filed on October 27, 2003 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant response to the election requirement is unclear because applicant elect Species I - Figures 6-28 which was not defined by the examiner. It is noted that the examiner required election of one of the two species: I. Figures 1-5, and II. Figures 6-28. Thus, it is unclear if applicant intention was to elect Species I (Figures 1-5) or Species 2 (Figures 6-28). Please, clarify. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eduardo C. Robert whose telephone number is 703-305-7333. The examiner can normally be reached on Monday-Friday, 9:30am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kevin P. Shaver can be reached on 703-308-2582. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1148.



Eduardo C. Robert
Primary Examiner
Art Unit 3732

E.C.R.